

REMARKS

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103 or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 9-10 and amended claims 1-8 are in the application.

Claims 1-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hess et al. (U.S. Patent No. 6,415,320) in view of Goyal et al. (U.S. Patent No. 6,466,917).

Amended independent claim 1 recites in part the following:

“notifying an updated transaction price to the bidder client having said identification (ID) code **automatically** when a transaction price changes due to a bid submitted by another bidder client.” (Emphasis added.)

In explaining the above 103 rejection with regard to claim 1, the Examiner relied on Hess and, in particular, Fig. 9 and lines 41-67 of column 9 thereof, to disclose the above feature of claim 1. It is respectfully submitted that the portions of Hess relied upon by the Examiner (hereinafter, merely “Hess”) do not disclose “notifying an updated transaction price to the bidder client having said identification (ID) code **automatically** when a transaction price

changes **due to a bid submitted by another bidder client,**” as in claim 1. Accordingly, it is believed that claim 1 is distinguishable from the applied combination of Hess and Goyal.

For reasons similar to or somewhat similar to those described above with regard to claim 1, it is also believed that amended independent claims 2-8 are distinguishable from the applied combination of Hess and Goyal.

Claims 9 and 10 respectively depend from independent claims 7 and 8 and, due to such dependency, are also believed to be distinguishable from the applied combination of Hess and Goyal for at least the reasons previously described.

In the event, that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where, in the reference or references, there is the basis for a contrary view.

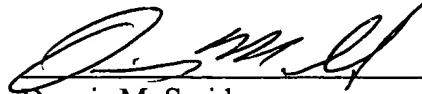
In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the prior art, and early and favorable consideration thereof is solicited.

PATENT
450100-03403

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to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

A handwritten signature in black ink, appearing to read "D. Smid", is written over a horizontal line.

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